

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PANDORA DISTRIBUTION, LLC,

Plaintiff,

vs.

OTTAWA OH, LLC, et al.,

Defendants,

vs.

FIRST AMERICAN TITLE
INSURANCE CO.

Third-Party Defendant.

* Case No. 3:14-cv-2245

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* Judge Helmick

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* **AFFIDAVIT OF STEPHEN LEWIS**

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STATE OF CALIFORNIA)

) ss.

COUNTY OF LOS ANGELES)

Stephen Lewis, being first duly sworn, deposes and says:

I have personal knowledge of the facts set forth.

1. I am the sole member of Ottawa OH, LLC ("Ottawa"), which is a party to this action.

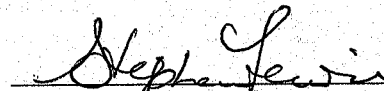
2. I intended for Ottawa to file motions for summary judgment on the trespass, nuisance, and negligence claims against Philips and the Railroad that were alleged in Ottawa's Amended Complaint.

3. I was informed by Ottawa's former counsel that he would handle those claims in the oppositions to Philips' and the Railroad's Motions for Summary Judgment.

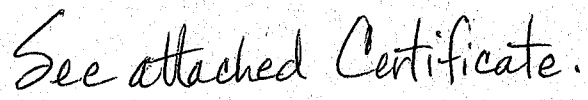
4. On October 8, 2018, one day before the deadline for filing oppositions, I learned that Ottawa's former counsel was abandoning the trespass, nuisance, and negligence claims against Philips and the Railroad without Ottawa's consent.

5. As a result, Ottawa has retained new counsel to pursue the trespass, nuisance, and negligence claims against Philips and the Railroad in motions for summary judgment and in opposing Philips' and the Railroad's motions for summary judgment.

6. I am informed and believe that resolving the claims against Philips and the Railroad is essential to resolve issues involving other parties and that motions for summary judgment and oppositions will allow a prompt and more efficient disposition of the entire action.


STEPHEN LEWIS

SWORN TO AND SUBSCRIBED before me on this _____ day of November, 2018.


Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 20th
day of November, 2018, by Stephen Lewis

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.

(Seal)

Signature

